

**VILLAGE OF FONTANA ON GENEVA LAKE
WALWORTH COUNTY, WISCONSIN**
(Official Minutes)

MONTHLY & SPECIAL JOINT SESSION MEETING of the VILLAGE OF FONTANA PLAN
COMMISSION with the JOINT EXTRATERRITORIAL ZONING COMMITTEE

Monday, January 28, 2013

Chairman Spadoni called the monthly meeting of the Village of Fontana Plan Commission to order and Village Clerk Dennis Martin called the meeting of the Joint ETZ Committee to order at 5:30 pm in the Village Hall, 175 Valley View Drive, Fontana, Wisconsin.

Plan Commissioners present: Roll call: Chairman George Spadoni, FJ Frazier, Scott Vilona, President Arvid Petersen, Sarah Lobdell

Plan Commissioners absent: Micki O'Connell, Cynthia Nickolai

ETZ Committee Members present: Roll Call vote: Village of Fontana representatives Scott Vilona and Sarah Lobdell; Town of Walworth representatives Ken Magowan and Tom Rohleder; Town of Linn representatives Larry Aasen, William Bentley and John Zils

ETZ Committee Members absent: Chairman Micki O'Connell, Town of Walworth representative Jim van Dreser

Also present: Jade Bolack, Administrator/Treasurer Kelly Hayden, Village Clerk Dennis Martin, Assistant Zoning Administrator Bridget McCarthy, Building Inspector/Zoning Administrator Ron Nyman, Village Planner Mike Slavney, Village Attorney Dale Thorpe

Visitors Heard

None

Announcements

1. Finance Committee Meeting – Thursday, January 31, 2013, 6:00 pm
2. Village Board Monthly Meeting – Monday, February 4, 2013, 6:00 pm
3. CDA Monthly Meeting Date – Wednesday, February 6, 2013, 6:00 pm
4. Assessor Local Office Hours – Friday, February 8, 2013, 10:00 am to 2:00 pm
5. Fontana/Walworth Water Pollution Control Commission Meeting – Tuesday, February 12, 2013, 7:30 pm
6. GLLEA Monthly Board Meeting – Wednesday, February 13, 2013, 10:00 am
7. Plan Commission Staff Meeting – Wednesday, February 13, 2013, 1:00 pm
8. Protection Committee Meeting – Monday, February 18, 2013, 5:30 pm
9. Statewide Primary Election for Supreme Court Justice – Tuesday, February 19, 2013, 7:00 am to 8:00 pm
10. Library Board Meeting – Wednesday, February 20, 2013, 10:00 am
11. Park Commission Meeting – Wednesday, February 20, 2013, 5:30 pm
12. GLEA Board Meeting – Thursday, February 21, 2013, 7:00 pm
13. Plan Commission Monthly Meeting – Monday, February 25, 2013, 5:30 pm

Approve Minutes

President Petersen/Chairman Spadoni 2nd made a MOTION to approve the minutes for the Plan Commission meeting held December 27, 2012, and the MOTION carried without negative vote.

Joint Session General Business

Codification of Existing ETZ Zoning Code

Village Attorney Thorpe stated that the Village of Fontana adopted a rewritten Zoning Code in 2012 and as part of that project, the existing Extraterritorial Zoning District Ordinance, including the five previously approved zoning amendments, was renumbered and formatted into the new Village

Zoning Code. Thorpe stated that the intent of the agenda item is to generate a written record of the ETZ Committee's authorization to codify the existing ETZ Code and the previously approved ordinance amendments into the new Village Zoning Code. Village Planner Mike Slavney stated the ETZ Section was just renumbered and incorporated into the new outline format.

Village of Fontana representative Lobdell/Village of Fontana representative Vilona 2nd made a MOTION for the Joint ETZ Committee to recommend in favor of the reformatted and renumbered Exterritorial Zoning Ordinance as presented in the draft ordinance dated December 18, 2012, and the Roll Call Vote was as follows:

Village of Fontana representative Vilona – Aye

Village of Fontana representative Lobdell – Aye

Linn Township representative Aasen – Aye

Linn Township representative Bentley – Aye

Linn Township representative Zils – Aye

Walworth Township representative Magowan – Aye

Walworth Township representative Rohleder – Aye

The MOTION carried on a 7-0 vote, with Village of Fontana representative O'Connell and Walworth Township representative van Dreser absent.

President Petersen/Commissioner Frazier 2nd made a MOTION to recommend Village Board approval of the reformatted and renumbered Exterritorial Zoning Ordinance as presented in the draft ordinance dated December 18, 2012, and the MOTION carried without negative vote.

Proposed Amendments to ETZ Code – Joint ETZ Committee Schedule Public Hearing

Thorpe stated that he outlined corrections or updates to the existing ETZ Ordinance in a memorandum dated September 3, 2011 that was distributed at the meeting. Thorpe stated that four of the proposed amendments outlined in the memo do not rise to the level of substantive material changes to the ETZ ordinance, but seven other amendments outlined in the memo are substantive and are required to be reviewed at a public hearing and approved in a housekeeping extraterritorial zoning ordinance amendment. Thorpe stated that the proposals in the memo need to be drafted into the ETZ Ordinance and then set for a public hearing before the ETZ Committee and the Plan Commission. Spadoni asked Thorpe if the public hearing could be authorized that night without the draft of the proposed amendments as long as the draft is ready by the time the public hearing notice is published in the newspaper. Slavney stated that the computer server problems his firm is experiencing have almost been resolved and he will draft the proposed amendments to the ETZ code as soon as possible. As soon as the draft is completed, it will be distributed to the Plan Commission and ETZ Committee members and the public hearing will be scheduled. If the draft of the proposed amendments is completed prior to the newspaper publication date of February 7, 2013, the joint public hearing will be scheduled for Monday, February 25, 2013 beginning at 5:30 pm at the Fontana Village Hall.

Village of Fontana representative Vilona/Village of Fontana representative Lobdell 2nd made a MOTION to schedule a public hearing before the Joint ETZ Committee to consider the proposed amendments to the Extraterritorial Zoning District Ordinance that are outlined in the September 3, 2011 letter from Village Attorney Dale Thorpe, to direct the Village Planner Mike Slavney to prepare a draft of the proposed amendments as soon as possible, and to direct staff to distribute the draft as soon as it is received, and the Roll Call Vote was as follows:

Village of Fontana representative Lobdell – Aye

Village of Fontana representative Vilona – Aye

Linn Township representative Aasen – Aye

Linn Township representative Bentley – Aye

Linn Township representative Zils – Aye

Walworth Township representative Magowan – Aye

Walworth Township representative Rohleder – Aye

The MOTION carried on a 7-0 vote, with Village of Fontana representative O'Connell and Walworth Township representative van Dreser absent.

Proposed Amendments to ETZ Code – Plan Commission Schedule Public Hearing

President Petersen/Commissioner Vilona 2nd made a MOTION to schedule a public hearing before the Plan Commission to consider the proposed amendments to the Extraterritorial Zoning District Ordinance that are outlined in the September 3, 2011 letter from Village Attorney Dale Thorpe, to direct the Village Planner Mike Slavney to prepare a draft of the proposed amendments as soon as possible, and to direct staff to distribute the draft as soon as it is received. The MOTION carried without negative vote.

Adjournment

Village of Fontana representative Vilona/Village of Fontana representative Lobdell 2nd made a MOTION to adjourn the Joint ETZ Committee meeting at 5:42 pm, and the MOTION carried without negative vote.

Commission Frazier/Chairman Spadoni 2nd made a MOTION to adjourn the Plan Commission meeting at 5:42 pm, and the MOTION carried without negative vote.

Minutes prepared by: Dennis L. Martin, Village Clerk

Note: These minutes are subject to further editing. Once approved by the Plan Commission and Joint ETZ Committee, the official minutes will be on file at the Village Hall.

APPROVED: 2/25/13